

## ORDINANCE NO. 1237

AN ORDINANCE AMENDING THE LAND USE ELEMENT OF THE CITY GENERAL PLAN AS ADOPTED OCTOBER 5, 1955 REMOVING FROM THE LAND USE ELEMENT ANY AREA NOT WITHIN THE CORPORATE LIMITS OF THE CITY ON THE DATE OF THE ADOPTION OF THE ORDINANCE AND WILL REQUIRE A VOTE OF THE PEOPLE TO AGAIN INCLUDE THIS AREA IN THE LAND USE ELEMENT

The people of the City of Lodi do ordain as follows:

1. It shall be the policy of the City of Lodi to protect land in the Green Belt area in order to preserve and protect agricultural land, preserve the scenic value of the area, protect wildlife habitat and natural resources and to protect the small city character of Lodi.

2. The Green Belt area shall be designated as the area between the outer limits of the incorporated city and the outer limits of the adopted sphere of influence at the adoption of this ordinance.

3. To affect the policy of the City of Lodi to protect land in the Green Belt area, non-agricultural development in the City of Lodi which lies adjacent to the Green Belt area shall be permitted only after a finding by the City Council that such non-agricultural development will not interfere with the continued productive use of agricultural land in the Green Belt area or that an adequate buffer or mitigation zone exists to assure continued productive use of agricultural land in the Green Belt area.

4. At the time of adoption of this ordinance, the Green Belt area shall be removed from the existing Land Use Element of the General Plan of the City of Lodi.

5. Before land in the Green Belt area can be annexed by the City of Lodi, an amendment to the City's Land Use Element of the General Plan must be made and approved by a majority of the people voting in a city-wide election.

6. Before any annexation proposal can be approved, the City Council must make the finding that the proposed annexation is contiguous to existing city boundaries and the projected demand from the proposed development in the area to be annexed will not exceed the service capacity of existing municipal utilities and ser-

vices, the school district, and existing roadways.

7. Water, sewer, and electrical facilities shall not be expanded or extended until the City Council makes the finding that a proposed expansion or extension is consistent with the goals, policies and land use designations of the General Plan and this ordinance.

8. The City of Lodi may hold elections in consolidation with other scheduled elections in the City for the purpose of allowing voters to voice their opinions on amendments to the City's Land Use Element of the General Plan.

9. If any portion of this ordinance is hereafter determined to be invalid, all remaining portions of this ordinance shall remain in force and effect and to this extent the provisions of this ordinance are seperable.

Section 2. - This ordinance was brought to a vote of the voters at a Special Initiative Election held in the City of Lodi on August 25, 1981 and as a majority of the voters voted in its favor, the ordinance is a valid and binding ordinance of the City of Lodi.

Section 3. - This ordinance shall be considered as adopted upon the date that the vote is declared by the legislative body (Tuesday, September 1, 1981) and shall be in effect 10 days after that date.

Section 4. - All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. - Pursuant to Section 4013 of the State of California this ordinance shall not be repealed or amended except by a vote of the people.

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1237 was brought to a vote of the voters at a Special Initiative Election held in the City of Lodi on August 25, 1981 and as a majority of the voters voted in its favor, the ordinance is a valid and binding ordinance of the City of Lodi. This ordinance shall be considered as adopted upon the date that the vote was declared by the legislative body (Tuesday, September 1, 1981) and shall be in effect 10 days after that date.

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk